

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-3, and 5-7 are currently being amended. Claims 1-3 have been amended to clarify the invention. The amendment to claim 5 is to improve its form, and does not change its scope. The amendments to claims 6 and 7 broaden their scope.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-7 are now pending in this application.

Priority

Applicant submits herewith a certified translation of the foreign priority document of the present application, thus perfecting applicant's claim to foreign priority.

Information Disclosure Statement.

Applicant filed an Information Disclosure Statement in the present application on September 24, 1999 with an accompanying Form PTO-1449 listing a document, and with a copy of the listed document. Applicant respectfully requests that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of the Form PTO-1449 be returned in accordance with MPEP §609.

Title

The title has been amended as suggested by the Examiner.

Rejections under 35 U.S.C. § 103

Claims 1-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,640,452 to Murphy (hereafter "Murphy") in view of U.S. Patent No. 6,028,933

to Heer et al. (hereafter “Heer”), JP 0 9035030 A to Kazuyoshi (hereafter “Kazuyoshi”), and U.S. Patent No. 5,944,824 to He (hereafter “He”). Claims 6 and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy, Heer, Kazuyoshi, and He, in further view of “IEEE 1394 High Performance Serial Bus: The Digital Interface for ATV” by Kunzman et al. (hereafter “Kunzman”). Applicant respectfully traverses these rejections for at least the following reasons.

Independent claims 1, 2 and 3 are directed to a works protecting system comprising an AV data transmitting-receiving device, where the AV data transmitting-receiving device comprises a device ID detecting means. Claims 1-3, as amended, clarify that the device ID detecting means is configured for detecting, when the transmitting-receiving device on another party (claims 1 and 3), or one of the other parties (claim 2), is connected to a transmission line, a device ID thereof. Support for this amendment can be found at least on page 15, lines 4-8 of the present specification. Murphy fails to suggest such a device ID detecting means.

Murphy is directed to preventing unauthorized use of a decryption chip 15i in a receiver 13i. Murphy discloses that if the present location of a SATPS antenna 21i is not within a region $R(L_i; d_i)$, a local commercial enforcement agency is informed that the decryption chip 15i is being used in an unauthorized location (col. 8, lines 15-24). In this regard, the receiver processor 23i of the receiver 13i stores the location of a licensed site (col. 7, lines 60-64). The processor 23i and antenna 21i determine the location of the antenna (col. 8, lines 6-8). The processor 23i then compares the present location of the antenna with the licensed location, and activates the decryption chip if within the location (col. 8, lines 6-16), thus enabling decryption of an incoming signal ES.

Murphy, however, does not disclose a device ID detecting means that is configured for detecting, when a transmitting-receiving device on another party is connected to a transmission line, a device ID thereof, as recited in claims 1-3. The processor 23i of Murphy stores the location of an authorized site, but does not act to detect a device ID. Moreover, the processor 23i (or any other component) of Murphy clearly does not act to detect a device ID

of another party when a transmitting-receiving device on the another party is connected to a transmission line.

The remaining references cited in the rejections were cited for disclosing other claimed features and fail to suggest that the Murphy device should be modified to include a device ID detecting means configured for detecting, when the transmitting-receiving device on another party (or one of the other parties) is connected to a transmission line, a device ID thereof. Thus, the remaining references cited in the rejections do not cure the deficiencies of Murphy.

Independent claims 1 and 2 also include an authentication histories storing means, and recite that the authenticating means performs a device authentication operation “when said transmitting-receiving device on another party with a history that authentication has been previously performed therefor is connected to a transmission line.” As correctly recognized in the Office Action, Murphy does not disclose the authentication of devices and the maintenance of an authentication history.

Applicant submits that one skilled in the art would not have modified the Murphy system to include an authentication histories storing means to arrive at the invention of claims 1 and 2. The Murphy system is for the purpose of determining whether a receiver 13i including a decryption chip 15i is located at an authorized location. There is no need in the Murphy system to include a history of past authentications, which in the Murphy system would be indications of when in the past the receiver was indicated as being in an authorized location, because it is irrelevant to the determining of whether the present location is unauthorized that in the past the location was authorized.

For at least the above reasons, claims 1-3 are patentable over Murphy, Heer, Kazuyoshi, He, and Kunzman. Claims 4-7 ultimately depend from one of claims 1 and 2, and are patentable for at least the same reasons, as well as for further patentable features recited therein.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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